

Exhibit D

From: Roy Leaf <rleaf@nyemaster.com>

Sent: Tuesday, March 4, 2025 2:33 PM

To: Goroff, David B. <DGoroff@foley.com>; cjessen@belinmccormick.com

Cc: Leslie C. Behaunek <lcbahaunek@nyemaster.com>; paula@drpjlw.com; Patrick Magallanes <pmagallanes@steindler.com>; John Dinan <jdinan@phccap.com>

Subject: Mercy Hospital Liquidation Trust: Correspondence Regarding MercyOne Draft Rule 2004 Requests

***** EXTERNAL EMAIL MESSAGE *****

David,

Please see attached correspondence related to MercyOne's draft Rule 2004 you previously conveyed to me with a request to meet and confer.

Thank you,



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March 4, 2025

VIA ELECTRONIC MAIL

David Goroff, Esq.
Counsel to Mercy Health Network, Inc. d/b/a MercyOne
dgoroff@foley.com

RE: MercyOne's Draft Bankruptcy Rule 2004 Requests

David:

I have conducted an initial review of the 53 document requests (the "MercyOne Requests") that you sent to me via email on behalf of your client, Mercy Health Network, Inc. d/b/a MercyOne ("MercyOne"). I understand that MercyOne intends to pursue the MercyOne Requests under Rule 2004 of the Federal Rules of Bankruptcy Procedure (the "Bankruptcy Rules") and seek documents from my client, the Mercy Hospital Liquidation Trust Oversight Committee as designee of the Liquidating Trust (the "OC").

Before I am able to hold a productive meet and confer with you about the MercyOne Requests, I need to understand MercyOne's factual and legal basis for bringing the MercyOne Requests under Bankruptcy Rule 2004. From my initial review, the MercyOne Requests appear to lack any basis in fact or law. Instead, it appears that MercyOne is bringing the MercyOne Requests to retaliate against the OC for previously seeking discovery under Bankruptcy Rule 2004 from MercyOne. *See* Dockets Nos. [1545, 1554, 1557, 1559, 1562, and 1568]. The MercyOne Requests seem to have the effect of needlessly increasing the costs of litigation for the OC. I cannot determine why MercyOne—with an unsecured claim of approximately \$31,000.00—would reasonably and rationally incur legal fees, which are likely far in excess of \$31,000.00, pursuing and reviewing the MercyOne Requests. I also cannot understand how it would benefit the creditors of these estates to pay many tens of thousands of dollars for the OC to review and produce these documents to MercyOne. The creditors of these estates have already born significant legal fees defending against MercyOne's appeal of the confirmation order, which the United States District Court dismissed yesterday for lack of standing. Please help me understand MercyOne's legal basis for pursuing the MercyOne Requests.

At this point, I trust that MercyOne's motives are not improper under the Bankruptcy Rules and Federal Rules of Civil Procedure. Accordingly, prior to us meeting and conferring about the MercyOne Requests, please provide to me a written explanation of the basis in fact and law that MercyOne believes it has to pursue the MercyOne Requests. As of now, I am flexible on Monday,

March 4, 2025
Page 2

March 10th to hold such a meet and confer with you. Please provide this written explanation in sufficient time for me to review and substantively consider in advance of this meet and confer.

Very truly yours,

/s/ Roy Leaf
Roy Leaf

CC: Christopher Jessen, Esq., Counsel to MercyOne
Leslie Behaunek, Esq., Counsel to the OC
Paula Roby, Esq., Trust Oversight Committee
John Dinan, Esq., Trust Oversight Committee
Patrick Magallanes, Esq., Trust Oversight Committee